

SAN MARCOS PUBLIC LIBRARY POLICY ON PATRON PRIVACY AND CONFIDENTIALITY OF LIBRARY RECORDS

The following policy has been adopted by the San Marcos Public Library Board as authorized by Section 2.298 of the City of San Marcos Code of Ordinances. This policy is to be considered the official position of the library, and is to be followed by all concerned with administering library services.

Users of the San Marcos Public Library have the right to open inquiry without having the subject of their interests examined or scrutinized by others. In order to safeguard this right to privacy, the San Marcos Public Library has adopted the following policy.

The library will make every effort to minimize the amount of personally identifiable information that it gathers and retains. Such information will be retained only as long as it is needed for the efficient operation of the library.

Circulation records, Internet use records, and other records of the San Marcos Public Library which identify or serve to identify a person who requests, obtains, or uses library materials or services are confidential and are excepted from required disclosure under the Texas Public Information Act.

Such records may be disclosed only if:

- The library director determines that disclosure is reasonably necessary to the operation of the library and the records are not confidential under state or federal law.
- The records are released to the person to whom the information relates; or the person to whom the information relates has given permission, in writing, for the information to be released.
- The records are requested under a valid court order or subpoena of a court of competent jurisdiction, as provided for under the provisions of the Texas Public Information Act.
- The library is served with a search warrant from the Federal Bureau of Investigation under provisions of the USA PATRIOT Act.

In the event that library records are requested under a court order, a subpoena, or a search warrant, the library administration will seek legal counsel prior to complying with the request.

Library staff members and volunteers who work with personally identifiable information will receive training designed to insure that they respect the privacy of library users and follow the library's *Policy on Patron Privacy and Confidentiality of Library Records*.

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